

MEMORANDUM

Date: July 05, 2007
To: Transfer 73540
From: tgalbraith
Re: Evaluation Comments

This transfer proposes change the POD and POU of 22-2178 from SWSESW of Township 4 North, Range 40 East, Section 29, to an existing well located in SWSESW of Township 4 North Rang 41 East Section 22. Also this right with 22-2256D and 22-7364 are being combined into a PPU. Will be irrigating fewer acres.

Authority to File:

Applicant is the owner of record as far as the SRBA recommendation for 22-2178. Land that the well that 22-2178 is being moved to, is already owned by BMJ and DKJ Farms. 22-2256D and 22-7364 belong to BMJ and BMJ Farms and 22-2178 is under contract to sell Neville to Jeppsons.

Water Right Validity:

Rights are recommended to the court. Land still being irrigated according to aerial photos. Forfeiture not an issue.

Injury to Other Water Rights:

Water right 22.2178 will be moved to a new well within the ESPA model cells. From 33/57 to just outside 34/59. ESPA model shows greater than 5 percent change to 3 reaches, but less than .5 AF/A per trimester. No mitigation required. Will be irrigating fewer acres. Transfer will be advertised to determine any protests.

Enlargement of Use:

There is no evidence of enlargement of use.

Local Public Interest:

No issues identified.

Beneficial Use / Conservation of Water Resources:

No issue identified.

Review of the application finds there is not clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.